



**Winston Hickox**  
Secretary for  
Environmental  
Protection



**Gray Davis**  
Governor

MINUTES OF  
REGULAR MEETING  
Friday, April 19, 2002  
**REGIONAL WATER QUALITY CONTROL BOARD**

**Friday, April 19, 2002, 8:30 a.m.**

Chairman Gary Shallcross called the meeting of the Central Coast Regional Water Quality Control Board to order at 8:32 a.m. on April 19, 2002, in the Board of Supervisors Hearing Room of the Santa Barbara County Offices, 105 Anapamu Street, Santa Barbara, California.

**1. Roll Call**.....Executive Office Technician Carol Hewitt

**Board Members Present:**

Chairman Gary Shallcross  
Vice Chair Leslie Bowker  
Vice Chair Bruce Daniels  
John Hayashi  
Russell Jeffries  
Marco Rizzo  
Donald Villeneuve  
Jeffrey Young

**Absent:** Daniel Press

**2. Introductions**..... Executive Officer Roger Briggs

Executive Officer Roger Briggs announced Board Member Press was ill. Mr. Briggs introduced staff members, Carol Hewitt, Jennifer Soloway, Counsel, and Christine St. Clair. A special introduction was given to Brad Hagemann, the new Assistant Executive Officer. Additionally, representatives from the USEPA, Janet Hashimoto and Terry Fleming were introduced

and will be participating in the Goleta Sanitary District Item #10. Executive Officer Briggs asked all interested parties who wished to comment to fill out testimony cards and submit them. Supplemental Sheets for Items 11, 15 (two), and 17 are available for review.

**3. Approval of Minutes for March 22, 2002 Meeting** .....Board Motion

**MOTION:** Bruce Daniels moved to approve the minutes for the March 22, 2002 meeting. **SECONDED** by John Hayashi. **CARRIED – Unanimously (7-0)** (Note: Don Villeneuve abstained)

**4. Public Forum** .....Chair Shallcross

- Doug Korthof, Huntington Beach, expressed concerns about the growing population and future water quality for all people.

*(Executive Officer Briggs introduced Beth Jines, Cal/EPA. Ms. Jines is liaison between Cal/EPA and the State and Regional Boards)*

**5. Low Threat Cases, General Orders, Waivers and Closures.....Information and Discussion**

Executive Officer Briggs reminded the Board of the low threat permit the Board already adopted and recommended the following Dischargers be enrolled under the General NPDES Permit:

1. California Cities Nipomo Drinking Water Distribution System
2. Duke Energy, Moss Landing Power Plant, Monterey County

**3. San Luis Obispo County Government Center Construction, San Luis Obispo County**

Mr. Briggs responded to Board questions on Duke Energy, Moss Landing Power Plant, and there was no objection to Mr. Briggs proceeding with enrolling these dischargers.

**6. Uncontested Items Calendar.....Board Motion**

Executive Officer Briggs recommended the following consent items to the Board for approval: Item No. 11/Tosco, Santa Maria Refinery, Item 12/Former Casmalia Hazardous Waste Landfill, Item 13/Soilserv, Inc., King City Facility, Item No. 14/Gilroy Foods (formerly Cal Compact), Item No. 16, Emergency, Abandoned, Recalcitrant Account Priority List for Fiscal Year 2002-2003, and Item No. 17, Priority List

for the Clean Water State Revolving Fund Loan Program.

- Mr. Rito Guerra addressed Item No. 12/Former Casmalia Hazardous Waste Landfill. Mr. Guerra submitted a letter of support from Senator Jack O'Connell's office to be placed in the official record.

**MOTION: Russell Jeffries moved to approve the consent calendar. SECONDED by Bruce Daniels. CARRIED – Unanimously (8-0)**

**7. MTBE Sites ..... Status Report**

Executive Officer Briggs noted that this is a written item and asked if the Board had questions. Bruce Daniels asked about Attachment No. 5/Map of Cambria. He asked about the apparent absence of plume containment based on groundwater contours even though a previous agenda map delineated an area of containment. Steve Little, Secor International, provided a response for Mr. Daniels. Mr. Villeneuve asked about the time that the data was submitted. Mr.

Briggs agreed there was a discrepancy in Secor's map and staff would follow up with Chevron and Secor and inform the Board. Mr. Jeffries noted on the Regionwide MTBE Site List, the BP Oil Station at 1240 N. Main Street has a California Water Service well within 1,000 feet.

**8. Former Casmalia Hazardous Waste Landfill Groundwater Cleanup, Santa Barbara County..... Status Report**

Regional Board staff, Dan Niles, briefed the Board on conditions at the Former Casmalia Hazardous Waste Site. Mr. Niles provided a summary of site history and a overview of current site conditions. Groundwater conditions were discussed in more detail. Finally, staff discussed plans for further site investigation and final

remedies. The Board asked, and staff answered, a few questions regarding geologic conditions and release containment. There was no public comment.

**9. Enforcement Report** [Gerhard Hubner 805/542-4647 and Brad Hagemann 805/549-3697 ..... Status Report

This was a written report. The Board had no questions or comments.

**10. Goleta Sanitary District, Santa Barbara County** ..... Order No. 2002-0021

Executive Officer Briggs announced that this is a joint hearing with USEPA and the Regional Water Quality Control Board. Board Member Young recused from the item. Chair Shallcross read the opening statement and swore in all concerned parties. Chair Shallcross introduced Janet Hashimoto, Chief Monitoring and Assessment Office, Water Division, USEPA, San Francisco.

USEPA (EPA) staff member Terry Flemming presented the results of their review of the Goleta Sanitary District's (GSD) compliance with the nine requirements specified in the Clean Water Act (CWA). EPA found compliance with all nine requirements, and recommended the Discharger continue with the existing effluent limitations for all waste constituents, including BOD and TSS. Mike Higgins of Regional Board staff presented a review of the monitoring program and the monitoring data, stating the data demonstrated the discharge currently caused no adverse effect on the marine habitat, recreation, or shell fishing beneficial uses. Additionally, Mr. Higgins indicated the discharge would not cause an adverse impact on these beneficial uses at the end of the Permit's life cycle in 2007. Board staff recommended continuing the existing requirements in the proposed Order/Permit.

*(Chair Shallcross announced a break at 10:45 a.m. The meeting reconvened at 10:55 a.m.)*

The Discharger (Kamil Azoury - GSD general manager, Tim Mikel - Aquatic Bioassay [Consultant to GSD], Dr. David R. Laur - Aquatic Bioassay [Consultant to GSD]) presented information about the current and projected effects of the discharge on the marine environment, and recommended the Board approve the proposed Order/Permit. GSD played a video showing plant and animal diversity in the vicinity of the outfall.

Doug Korthof, Jeff Maasen (Heal the Ocean), Larry Porter (Ocean Outfall Group), Steve Musick, Ruston Slager (Heal the Ocean), Hillary Hauser (Heal the Ocean), Drew Bohan (Santa Barbara Channelkeeper), Vicki Clark (Environmental Defense Center), and

Craig Barilotti, Ph.D. (Consultant to Heal the Ocean) each spoke against approving the waiver. Heal the Ocean played a video showing cloudy discharges and particulates emanating from the GSD outfall diffuser.

Regional Board members Daniels, Jeffries, Villeneuve, and Bowker stated their concerns with adopting an Order with unchanged waste discharge requirements, and thereby granting the CWA Section 301(h) waiver from secondary treatment standards, as follows:

1. Based on the GSD's projections, the primary-treated fraction may increase from 8 percent now to 54 percent in 2007, which will result in substantially more primary solids in the discharge. The effect of these solids on the marine habitat is unknown, but could be substantial and adverse. Denial of the waiver would effectively require full secondary treatment, thereby eliminating primary solids from the discharge and their corresponding potential adverse effects in the future.
2. The projected 2007 discharge will comprise 92 percent of the plant's design flow, and the plant may find it difficult to adequately remove the waste constituents resulting from the increased primary-treated component of the discharge. Denial of the waiver would improve the plant's future treatment capabilities.
3. A study found occasional onshore currents, which could carry the discharge to Goleta Beach from the outfall. Denial of the waiver would ensure better treatment of the discharge, and thereby better protect the health of the public using the nearshore waters for recreation.
4. The GSD must demonstrate that the discharge is not polluting the marine environment and impairing its beneficial uses. The monitoring program and resulting data were insufficient to adequately demonstrate the discharge will not impair the marine habitat, recreation, and shell fishing beneficial uses, with the projected primary treatment mix.
5. To address the State's current and future freshwater supply shortfalls, the Board should encourage the GSD to generate more reclaimed wastewater for reuse. Denial of the waiver will encourage the GSD to increase wastewater reclamation.

Regional Board Chairman Shallcross and Mr. Hayashi stated that the GSD had complied with all waste discharge requirements specified in the existing Order/Permit. They stated the Discharger seems to have met the requirements to earn a continued waiver, but expressed concerns regarding the discharge's possible adverse effects three to five years in the future

with possible increased flows. Adopting a permit with a shorter lifespan was discussed with U.S. EPA staff and the Regional Board's attorney, Ms. Soloway, and the approach was determined to be within the Regional Board's authority.

**MOTION:** John Hayashi moved to accept the waiver on a three-year term. A roll call vote was taken. **MOTION FAILED** – (2 yes, 5 no) *Shallcross and Hayashi voted yes.*

**MOTION:** Russell Jeffries moved to reject the waiver and direct staff to develop findings for the Regional Board to deny the waiver, for Board consideration at the May 31, 2002 Regional Board meeting. **SECONDED** by Les Bowker. A roll call vote was taken. **CARRIED** – (5 yes, 2 no) *Shallcross and Hayashi voted no.*

*(Chair Shallcross announced a lunch break and adjournment to closed session at 1:40 p.m. The meeting reconvened at 2:30 p.m.)*

**15. Overview of Water Quality Issues in Santa Barbara County.....** Status Report  
[Harvey Packard 805/542-4639 and John Robertson 805/542-4630]

**Watershed Branch**

**Introduction:** Senior Engineering Geologist, John Robertson gave an introduction to the overview of the presenters and the presentations. Mr. Robertson gave a presentation identifying the six primary watershed areas in Santa Barbara County to familiarize the Regional Board members with the geography of the Southern Watershed Unit. Mr. Robertson also previewed each of the forthcoming speakers, indicating the project locations for each of the ensuing speakers.

**Project Clean Water:** Project Manager Rob Almy provided a presentation covering the history, water quality monitoring, miscellaneous programs, and NPDES compliance efforts on Phase II storm water permit. Project Clean Water is a community-initiated program fueled by a desire clean up water quality on south coast Santa Barbara County. Extensive data collection through water quality sampling is an integral part of Project Clean Water. Sampling has indicated three main areas of concern bacteria, nutrients, and pesticides, with metals being a much less significant concern. The water quality sampling for bacteria allows for beaches to be posted when pathogen levels reach unsafe levels. The program has a well-developed public outreach and education program, such as the green gardener program and a school education curriculum for school aged children. They have also incorporated all six of the required elements of the NPDES Phase II storm water permit.

Board Members asked the following questions regarding Project Clean Water:

Mr. Young asked if there have there been any studies involving pesticide use reductions by the community showing corresponding reductions in creek pesticide concentrations. Mr. Almy responded that the Flood Control District is currently evaluating testing before and after their own use of pesticides.

Mr. Young inquired about the sources of trace metals. Mr. Almy responded indicated he thought likely sources included break linings from automobiles, as well as natural sources.

**Santa Barbara County Environmental Health:** Environmental Health Technician, Willie Brummett provided a presentation on the Rincon Creek DNA study. Initial monitoring of Rincon Creek indicated elevated bacteria concentrations, yet did not give any information as to the source of the bacteria. County and Heal the Ocean initiated a DNA-specific study. The study focused on three sample points: the surf zone, the lower section of the lagoon, and at the culvert as it discharges from under Highway 101. A total of 208 fecal coliform samples were collected to and typed for DNA matches/species identification to establish a library. This library was used to check 101 creek water samples collected later under low flow conditions.

DNA matches identified bacteria from twenty different species. The most frequently identified bacteria were from humans. Conclusions from this study indicate that septic systems are the likely source as most of this area is on septic systems. The next step for the Rincon community was conversion from septic to sewer. This community recently qualified for state revolving fund and Prop 13 funding for an EIR for this conversion project. In a similar DNA study, Arroyo Quemado Creek recently tested using the same methods and determined that the greatest source of bacteria was from sea birds. This raises the question, are pathogens from sea birds a risk to human health? Mr. Brummett indicated this was an issue for future investigation for the County.

**City of Santa Barbara:** Creek Program Clean Water Manager Jill Zachary gave a presentation on the city's creek restoration and water quality program. In November 2000, the citizens of the City of Santa Barbara voted to increase the bed tax to provide a stable funding source for clean water efforts. This revenue is specifically earmarked for the creek restoration and water quality programs. Ms. Zachary stated most of the City's watersheds are highly urbanized. The program's primary efforts focus on restoration, education, and BMPs such as street sweeping, storm water interceptors, and facility upgrades. Ms. Zachary then reviewed specific restoration projects that are ongoing throughout the City. Finally she focused on the importance for the success of the program on coordination with regional and state agencies.

**The Dunes Center:** Development and Dunes Program Manager Liz Scott-Graham spoke about the Dunes Center's role in the community with regard to dunes protection and water quality improvements. The Center's stated goal is to protect the dunes complex through community involvement built by way of interpretive walks and school outreach. The Guadalupe-Nipomo Dunes are the largest of their kind in the world and the health of the dunes is threatened due to oil spills, off-highway vehicle recreation, non-native vegetation invasion, and high levels of sediment, nitrate, and fecal coliform. Intensive row crop agriculture occurs just upstream from the dunes; the Dunes Center is working with agriculturist to improve the water quality of their run off which drains into and under the dunes. Two projects that are being implemented through Regional Board contracts with the Dunes Center include a Santa Maria estuary enhancement project and Oso Flaco Creek watershed assessment and enhancement plan.

The following people presented public comments on South Coast Watershed issues:

Daniel Wilson of South Coast Watershed Alliance, an organization that incorporates research, education, and restoration to improve water quality on the south coast, applauds our efforts in Carpinteria Valley. SCWA strongly support the greenhouse work group efforts to curtail nutrient and pesticide discharges from greenhouses through wastewater recycling.

Ed Van Wingerden of Ever-Bloom and The Santa Barbara Flower Growers Association stated that most growers plan to recycle their wastewater. Ever-Bloom currently has no run off from its hydroponic irrigation system. He stated that recycling could be more challenging with other irrigation systems. Mr. Van Wingerden indicated the use of Integrated Pest Management systems has reduced pesticide use by 80%. Mr. Van Wingerden believes greenhouses are a clean operation compared to row crops. Finally, he asked the Regional Board and their staff continue to work with them and give them time to come up with solutions.

Mr. Young asked if everyone who received a letter regarding the green houses responded. Mr. Van Wingerden responded, "As far as I know, yes." Mike Higgins, Regional Board staff person for the Carpinteria area responded that staff received 100% response, 51 out of 51. Staff is now in the process of follow up and evaluation. Mr. Young asked if the goal now is to move toward complete recycling for all 51. How many members are in the association? Mr. Van Wingerden indicated there are not 51 members in the greenhouse growers association, more like 34 members. Mr. Young asked if the goal was no discharge with complete recycling. Mr. Van Wingerden indicated that was correct, stating that what is being asked of the greenhouse growers is zero tolerance, yet open field production are not held to the same standard.

Carl Stucky of Carpinteria Valley Association, a citizen's planning group, expressed his appreciation for the attention given by Regional Board staff to greenhouse discharges. Also, Mr. Stucky appreciated the attention being given to the Chevron oil/gas processing in Carpinteria. He indicated he did not see the need to continue to issue waivers for point and nonpoint sources of pollution.

Drew Bohan of Santa Barbara ChannelKeeper provided a brief presentation discussing the greenhouse impact on the Carpinteria salt marsh. Mr. Bohan stated

nutrient discharge run-off from the green houses has been a historical problem and has been identified as the primary source of nitrates in the creeks, causing algae blooms. He showed photographs of pipes discharging into the channelized creeks and indicated that these were discharges from greenhouses. He encouraged the Regional Board staff to continue bringing the greenhouses item before the Board at future Regional Board meetings. Mr. Bohan also commended the wastewater management practices of Mr. Van Wingerden.

Mr. Young asked Mr. Bohan if he knew the source of the water flowing into the channels shown on the slides. Mr. Bohan replied it was very clear that the discharge was connected to greenhouses. Mr. Bohan further stated it is easy to follow to the discharge pipe back to a specific green house. Mr. Briggs confirmed from his own observations that there are many greenhouses discharging to the creeks.

Cian Sirin of Pure-O-Tech Water Reclamation and Treatment Systems stated he has visited all the greenhouses in Carpinteria and operators are working hard to come up with solutions. Mr. Sirin indicated that new technologies are available to reduce pollutants, but also stated there is concern from the growers that a virus might become entrained in their systems and get recycled back into their green house. Mr. Sirin stated that scientists are working hard to address these concerns. Reduction of fertilizer and pesticide use in the greenhouses has shown a tremendous cost savings. Cian requested the Regional Board recognize a transition is happening and we need to work toward finding a solution that benefits everyone. Mr. Sirin indicated he hoped to start a seminar series on the central coast and invited Regional Board members and staff to participate in the seminar.

Mr. Young asked what time frame was necessary to implement the new technology. Mr. Sirin stated the technology is currently ready, the education and acceptance of the growers to the new technology is the time scale issue. Mr. Sirin indicated the system more than pays for itself in 8 to 12 months.

The following individuals presented public comments on the Tajiguas landfill:

Mark Schleich	Santa Barbara County/Solid Waste Utilities
Brian Trautwein	Environmental Analyst/Environmental Defense Center
Keith Zandona	Santa Barbara Surfrider
Bob Hazard	Gaviota Coast Conservancy
Vicki Clark	Environmental Defense Center
Hillary Hauser	Heal the Ocean

## Cleanup Branch

**Landfills:** Senior Engineer Michael LeBrun presented an overview of active and inactive landfills in Santa Barbara County. Mr. LeBrun's presentation covering active landfill focused on specific site issues such as landfilling capacity, surface and groundwater conditions, and status of closure activities. Mr. LeBrun also discussed two closed sites: Ballard Canyon and the Carpinteria burn dump.

Board Members asked the following questions regarding the Tajiguas Landfill:

Mr. Jeffries asked if there was a problem with the surface water pipeline in the past. Mr. LeBrun stated that the pipeline has been repaired and some parts have been slip-lined to prevent infiltration of water into the landfill.

Mr. Young asked if the Rincon formation is fractured. Mr. LeBrun stated the upper weathered portion of the Rincon formation is fractured and that the design hydraulic conductivity is based on this fractured area. Mr. LeBrun further stated that the unweathered (less fractured) areas have slower hydraulic conductivities, decreasing with depth in the formation.

Mr. Young asked with what certainty do we know that the water is not coming from below. Mr. LeBrun stated groundwater is following the shallow alluvium and colluvium in the canyon, which is the path of least resistance. Additionally, it does not appear there are vertical gradients in the canyon.

Mr. Young asked how deep groundwater is within a mile of the landfill, based on the letter staff sent to the County. Mr. LeBrun stated it is variable and depends on the location of bedrock and the thickness of the water-bearing unit at each location.

Mr. Young asked if we suspect that the water in MW-4 is from the landfill and not from the Vaqueros formation. Mr. LeBrun stated that he suspects that water is coming from several areas including the canyon colluvium and alluvium.

Mr. Schleich outlined the County's efforts and current conditions at the Tajiguas site in a positive sense. The other public commentators were opposed to operation of Tajiguas landfill and raised issues regarding leachate levels in the waste and separation of waste from groundwater. Two presenters asked that the Board schedule a future agenda hearing item regarding the Tajiguas landfill. Mr. Briggs said staff would evaluate the County's required report, due in a few weeks, and provide an update to the Board regarding site issues at either the July or September Board meeting.

**Spills and Leaks:** Senior Engineer Harvey Packard offered to answer any Board questions regarding this section of the written report. There were no questions, so Mr. Packard introduced Kate Sulka of Santa Barbara County Fire Department, who spoke on the County's role in groundwater cleanups.

Ms. Sulka reviewed the Fire Department's structure and staff and the four distinct programs run by the Fire Department: 1) underground fuel tanks, 2) spills and leaks from sources other than underground tanks, 3) oil field cleanups, and 4) the Certified Unified Program Agency programs. Ms. Sulka reviewed the interagency agreement between the Board and the Fire Department for oil field cleanups and the program for permitting reuse of oil-degraded soils. Ms. Sulka also reviewed how the Fire Department prioritizes MTBE spill sites, highlighting its emphasis on sites nearest water production wells. Ms. Sulka stated that the Fire Department is working to update the Geotracker online information system so future reports to the Board will include current data.

Board member Jeffrey Young asked Ms. Sulka several questions about the accuracy of the County's MTBE data. Ms. Sulka replied that the data submitted to the Board for its agendas is now accurate and up to date. She said that the County verifies data submitted by dischargers by verifying locations by GPS and observing fieldwork and sampling. Mr. Young also asked whether the County verified the licenses of professionals who submit data. Ms. Sulka stated that they do, and were in fact pursuing a case now with the Board of Registration.

Board member Bruce Daniels pointed out several instances of old data in the Board's MTBE report. Ms. Sulka stated that the data were now corrected. Mr. Daniels then noted that all of the figures that the County displayed at the last meeting showed that contaminant characterization was incomplete and asked the County at that time to report on their progress on getting sites characterized. Tom Rejzek of the County stated that they recognized the problem and were reviewing A-priority sites to verify characterization. Mr. Rejzek stated that all A-priority sites would be characterized within a year.

Chair Shallcross asked Ms. Sulka how long the County had been a Local Oversight Program agency for underground tanks and what their budget was. Ms. Sulka replied that the County had been an LOP agency since January 1990 and that she did not know the amount of her budget; she could provide that information later.

*(Board Member Villeneuve and Staff Counsel, Jennifer Soloway left the meeting at 4:00 p.m.)*

**18. Budget Concepts and Priorities 2002-2004 [Roger Briggs 805/549-3140] ..... Board Direction**

Executive Officer Briggs summarized the written material and asked the Board if there were any comments or objections regarding proceeding with the

Environmental Problem Solving pilot projects, as recommended. The Board had no objections.

**19. Report by State Water Resources Control Board Liaison [Richard Katz 916/341-5603]..... Status Report**

No report submitted.

**20. Reports by Regional Board Members..... Status Report**

No reports submitted.

**21. Executive Officer's Report [Roger Briggs 805/549-3140] ..... Information/Discussion**

This is primarily a written report. Mr. Briggs announced that Board Member Daniels alerted him that the State Board missed the recommended changes for the Impaired Waters List. Regional Board staff was aware of the problem and is submitting a letter to State Board to correct the problem.

The Water Quality Coordinating Committee meeting will be held in San Francisco on November 7-8, 2002. The meeting will be held after lunch on Thursday and will continue Friday morning until noon.

The Board offsite meeting, followed by the staff awards meeting and BBQ, will be held on Wednesday, June 19, 2002, from 10 a.m. to 5 p.m.

Mr. Briggs said staff is working on the Board's suggestion to issue Water Quality Awards for individuals outside the office. Staff will bring recommendations to the Board.

There will be a Storm Water workshop in Salinas on May 15, 2002.

Cruise ships will be arriving on May 6, 2002 in Santa Barbara and on May 7, 2002 in Monterey. Princess Cruise Lines has agreed to observe a zero discharge policy within sanctuary waters. The Regional Board will be following up with the other two cruise lines that are planning to visit various ports in our region.

A letter to the SLO Tribune Editor complementing Regional Board and staff was published regarding the Monarch Lane cleanup.

Board Member Jeffries requested that staff follow-up on sewer spills in Pacific Grove, the De Laveaga Golf Course grading, and the Loma Alta Farm in Santa Cruz County. He also asked about the Hollister permit. Mr. Briggs noted that staff is currently compiling information on Hollister to send out to the Board, and staff is working on the Loma Alta and golf course issues. Mr. Briggs said staff would also follow up on Pacific Grove.

Chairman Shallcross adjourned the public meeting at 5:45 p.m.

The meeting was audio recorded and the minutes were reviewed by management, and approved by the Board at its May 31, 2002 meeting in San Luis Obispo, CA.



Gary Shallcross, Chair